

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DONALD EUBANKS,)	
Petitioner,)	
)	
v.)	Civil Action No. 14-1122
)	
J.A. ECKHARD, et al.,)	
)	
Respondents.)	

ORDER

Petitioner, Donald Eubanks, has filed a letter motion for filing fees and costs associated with his habeas corpus petition.

The order dated August 25, 2014 stated that costs would be “advanced” by the United States and did not relieve him of his obligation to pay marshal’s service fees. As indicated by the marshals in their letter, the statute that authorized him to initiate this case without prepayment of fees or costs and pursuant to which the marshals were directed to make service, 28 U.S.C. § 1915(d); see Fed.R.Civ.P. 4(c)(3); did not waive the eventual payment of statutory service of process fees incurred by the marshals in making service. The marshals are authorized to collect such fees, see 28 U.S.C. § 1921(a)(1)(A), at the rate set by the Department of Justice, § 1921(b), 28 C.F.R. § 0.114(a)(3), and there is no law that allows the Court to waive these fees.

AND NOW, this 23rd day of September, 2014,

IT IS HEREBY ORDERED that the letter motion filed by petitioner (ECF No. 7) is denied

s/Robert C. Mitchell
Robert C. Mitchell
United States Magistrate Judge

cc: Donald Eubanks
GD-4748
1100 Pike St.
Huntingdon, PA 16654